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I hereby certify that this RESPONSE is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 16th day of June, 2003.

Typed or Printed name of person signing this certificate:  
Wendy A. Frick

Signed: \_\_\_\_\_

*Wendy A. Frick*



24024

PATENT TRADEMARK OFFICE

PATENT

# 8  
JM  
6/24/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
Rikihisa, et al.

Examiner: Swartz, Rodney P.

Serial No.: 10/059,964

Group Art Unit: 1645

Filed: January 28, 2002

For: **OUTER MEMBRANE PROTEIN  
OF EHRLICHIA CANIS AND  
EHRLICHIA CHAFFEENSIS**

Attorney Docket No.: 22727/04109

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

In response to the Restriction Requirement mailed May 16, 2003, Applicants hereby elect Claims 15-19, 24-26 and 28-30, drawn to a method and kit for diagnosis of *Ehrlichia* infection. The election is without traverse.

Respectfully submitted,

Date: \_\_\_\_\_

*June 16, 2003*

By: \_\_\_\_\_

*Pamela A. Docherty*  
Pamela A. Docherty, Reg. No. 40,591  
(216) 622-8416

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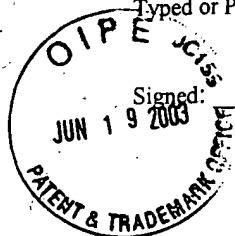
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*Wendy A. Frick*

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**TRANSMITTAL OF RESPONSE TO RESTRICTION REQUIREMENT  
AND SECOND PRELIMINARY AMENDMENT**

Sir:

Transmitted herewith are the following:

1. Response to Restriction Requirement;
2. Second Preliminary Amendment; and
3. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date:

*June 16, 2003*

By:

*Pamela A. Docherty*  
Pamela A. Docherty, Reg. No. 40,591  
(216) 622-8416

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Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: \_\_\_\_\_

*Wendy A. Frick*

PATENT

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Group Art Unit: 1645

Attorney Docket No.: 22727/04109

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**SECOND PRELIMINARY AMENDMENT**

Dear Sir:

This second preliminary amendment is being submitted in accordance with the revised format for amendments signed by the Patent Office on January 31, 2003. Please amend the above-identified application as follows

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